

## EXHIBIT 4

### Edmond Moreland

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**From:** Sprague, Jonathan A. <JSprague@littler.com> on behalf of Sprague, Jonathan A.  
**Sent:** Monday, July 27, 2020 10:45 AM  
**To:** Edmond Moreland  
**Cc:** Daniel Verrett; Jodon, G. Mark; Andy Barrett  
**Subject:** RE: TNT - Plaintiff depositions

Hi Edmond,

Have you been able to get dates for scheduling the depositions of McDonough, Garduno, and Spruill and rescheduling the depositions of Marciano and Villa? If not, will you be filing withdrawals of these plaintiffs' consents to join the lawsuit? We've been trying to get these scheduled for weeks now with no luck, including Marciano's and Villa's no-shows. If these plaintiffs are going to stay in the case, we need to depose them. Otherwise, we may need to go ahead and notice their depositions (at least for McDonough, Garduno, and Spruill) and ask for the Court's assistance.

Additionally, given the difficulties we've had scheduling this group of depositions and the stark differences in testimony from the plaintiffs we have deposed, we are going to need to depose all the plaintiffs in who are currently still in the lawsuit. Please provide dates this week when the plaintiffs are available to be deposed between next week and the end of August.

Please let me know if you'd like to discuss by phone.

Thank you,  
Jonathan

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**From:** Andy Barrett <andy@morelandlaw.com>  
**Sent:** Wednesday, July 22, 2020 11:06 AM  
**To:** Sprague, Jonathan A. <JSprague@littler.com>; Jodon, G. Mark <MJodon@littler.com>  
**Cc:** Daniel Verrett <daniel@morelandlaw.com>; Edmond Moreland <edmond@morelandlaw.com>  
**Subject:** RE: TNT - Plaintiff depositions

[EXTERNAL E-MAIL]

Hello Jonathan,

As of right now we have not been able to reach any of them to schedule/reschedule.

**Andy Barrett**  
**Legal Assistant**  
**Moreland Verrett, P.C.**  
700 West Summit Drive, Wimberley, TX 78676 | (512) 782-0567  
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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Sent:** Wednesday, July 22, 2020 9:23 AM  
**To:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

Good morning Edmond.

What is the status of scheduling McDonough, Garduno, and Spruill and rescheduling Marciano and Villa?

Thank you,  
Jonathan

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**From:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Sent:** Tuesday, July 14, 2020 2:44 PM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

Jonathan,

Do you have a couple of minutes to talk about the plaintiffs' depositions this afternoon?

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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Sent:** Tuesday, July 14, 2020 11:11 AM  
**To:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

OK. If we don't get him scheduled this week, we still reserve the right to depose him later.

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**From:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Sent:** Tuesday, July 14, 2020 11:10 AM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

No change. We'll let you know if it does.

**Edmond S. Moreland, Jr. | Moreland Verrett, P.C.**  
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\*Board Certified - Labor and Employment Law - Texas Board of Legal Specialization

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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Sent:** Tuesday, July 14, 2020 11:08 AM

**To:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>

**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>

**Subject:** RE: TNT - Plaintiff depositions

Edmond,

What is the status on McDonough? We need to get him scheduled ASAP in case we need to re-arrange the order.

Thanks,  
Jonathan

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**From:** Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>

**Sent:** Monday, July 13, 2020 10:48 AM

**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>

**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>

**Subject:** RE: TNT - Plaintiff depositions

[EXTERNAL E-MAIL]

Hello Jonathan,

Here are their locations:

Villa: Falfurrias, TX

Hardy: Conroe, TX

Marciano: Houston, TX

Regards,

**Andy Barrett**

**Legal Assistant**

**Moreland Verrett, P.C.**

700 West Summit Drive, Wimberley, TX 78676 | (512) 782-0567

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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>

**Sent:** Monday, July 13, 2020 8:47 AM

**To:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>

**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>

**Subject:** RE: TNT - Plaintiff depositions

Edmond,

We will be sending the notices for Villa, Hardy, and Marciano today. Our court reporting service needs to know the city and state where the witnesses are located. Can you please provide that information for Villa, Hardy, and Marciano? We will also need it once we get McDonough scheduled.

Thanks,  
Jonathan

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**From:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Sent:** Friday, July 10, 2020 12:19 PM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

[EXTERNAL E-MAIL]

I do not believe that we've heard from him yet. Andy can correct me if something has happened that I am not aware of.

Please go ahead and notice the other three so that we can firm up the schedule for Marciano and Villa. And thanks for noticing them at 10.

**Edmond S. Moreland, Jr. | Moreland Verrett, P.C.**  
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\*Board Certified - Labor and Employment Law - Texas Board of Legal Specialization

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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Sent:** Friday, July 10, 2020 11:21 AM  
**To:** Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

Any update? I wanted to check before we serve the notices for the other three. Thanks.

---

**From:** Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Sent:** Thursday, July 9, 2020 5:38 PM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

[EXTERNAL E-MAIL]

Jonathan,

No. We still have not heard from McDonough.

**Andy Barrett**  
**Legal Assistant**  
**Moreland Verrett, P.C.**  
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[andy@morelandlaw.com](mailto:andy@morelandlaw.com) | [www.austinovertimelawyers.com](http://www.austinovertimelawyers.com)

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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Sent:** Thursday, July 09, 2020 8:53 AM  
**To:** Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

Any update on this?

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**From:** Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Sent:** Wednesday, July 8, 2020 8:52 AM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>; Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>  
**Cc:** Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

[EXTERNAL E-MAIL]

Jonathan,

Yes. We are still waiting to hear back from McDonough.

**Andy Barrett**  
**Legal Assistant**  
**Moreland Verrett, P.C.**  
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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Sent:** Wednesday, July 08, 2020 4:19 AM  
**To:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Cc:** Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

Thank you for the update. For Houston, are you still waiting to hear back from McDonough?

---

**From:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Sent:** Tuesday, July 7, 2020 3:58 PM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>

**Cc:** Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>

**Subject:** RE: TNT - Plaintiff depositions

Jonathan,

As we discussed a few minutes ago, here is the schedule of plaintiffs' deposition that we have been able to line up as of now. We will continue to work on these. For the Houston depositions, please let me know how you would like to place Marciano and Villa in the schedule as soon as possible so that we can firm up their date and time. Hardy has to go on Friday afternoon.

Also, would you please notice the morning deposition for 9:00 a.m., instead of 8:00 a.m.? I ask solely for my own purposes surrounding my family obligations in the morning.

Thank you.

**JULY 16**

Marciano and/or Villa (available all day)

**JULY 17**

AM: Marciano or Villa

PM: Hardy

**JULY 22**

None

**JULY 23**

AM: None

PM: Baete

**AUGUST 19**

AM: McCandless

This also is the only day Russell and Costlow are available. Can we fit all 3 in this day? I will discuss with Daniel whether or not he can defend one of them.

**AUGUST 20**

AM: Raybion

PM: Venable

**Edmond S. Moreland, Jr. | Moreland Verrett, P.C.**

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\*Board Certified - Labor and Employment Law - Texas Board of Legal Specialization

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**From:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>

**Sent:** Tuesday, July 7, 2020 11:40 AM

**To:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>

**Cc:** Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>

**Subject:** RE: TNT - Plaintiff depositions

Edmond,

We would like to depose Garduno in place of Wood.

Thanks,  
Jonathan

---

**From:** Sprague, Jonathan A.  
**Sent:** Monday, July 6, 2020 2:53 PM  
**To:** 'Edmond Moreland' <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Cc:** Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** RE: TNT - Plaintiff depositions

We will let you know who we want to depose in his stead. Thanks.

---

**From:** Edmond Moreland <[edmond@morelandlaw.com](mailto:edmond@morelandlaw.com)>  
**Sent:** Monday, July 6, 2020 2:28 PM  
**To:** Sprague, Jonathan A. <[JSprague@littler.com](mailto:JSprague@littler.com)>  
**Cc:** Jodon, G. Mark <[MJodon@littler.com](mailto:MJodon@littler.com)>; Daniel Verrett <[daniel@morelandlaw.com](mailto:daniel@morelandlaw.com)>; Andy Barrett <[andy@morelandlaw.com](mailto:andy@morelandlaw.com)>  
**Subject:** TNT - Plaintiff depositions

Jonathan,

We have just filed Kevin Wood's notice of withdrawal of his consent. Please let us know who, if anyone, you would like to substitute in his place.

Also, we are still working on scheduling with the others. I hope to have a report about how that is going later today or tomorrow.

**Edmond S. Moreland, Jr. | Moreland Verrett, P.C.**  
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\*Board Certified - Labor and Employment Law - Texas Board of Legal Specialization

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